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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/611,996	07/07/2000	ALAIN MARBACH	SAA-42	6583

23569 7590 06/17/2004

SQUARE D COMPANY
INTELLECTUAL PROPERTY DEPARTMENT
1415 SOUTH ROSELLE ROAD
PALATINE, IL 60067

EXAMINER

NAJJAR, SALEH

ART UNIT	PAPER NUMBER
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2157

DATE MAILED: 06/17/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

[Handwritten signature]

Office Action Summary

Application No.

09/611,996

Applicant(s)

MARBACH ET AL.

Examiner

Saleh Najjar

Art Unit

2157

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 March 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Art Unit: 2157

1. This action is responsive to the amendment filed on March 29, 2000. Claims 1-20 are pending.

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-13, 15, and 17-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Emens et al., U.S. Patent No. 6,591,279.

Emens teaches the invention substantially as claimed including a system and method for computer based notification of real-world events using images (see abstract).

As to claim 1, Emens teaches a method of providing notification to an operator of a network having an intelligent device and a network device located on the network, the method comprising the steps of:

Detecting an event within said automation device, said signal received from the network device; transmitting an object from said intelligent automation device to a receiving device operably connected to the network for notifying the operator, the object being responsive to the signal (see figs. 1-2; col. 3-5, Emens discloses that a proxy server including a sensor manager device 118 for sensing a signal and in response thereto, sending a notification to client browser along with digital image).

Emens does not explicitly teach the limitation of an automation network.

"Official Notice" that the concept and advantages of an automation network is old and well known in the art.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Emens by specifying the network taught by Emens as an automation network since the same functionality of automatic event notification is achieved.

As to claim 2, Emens teaches the method of claim 1 wherein the receiving device comprises means for displaying the object (see col. 3-5, Emens discloses that client devices are equipped with browsers).

As to claim 3, Emens teaches the method of claim 2 wherein the means for displaying the object is a web browser (see col. 3-5).

As to claim 4, Emens teaches the method of claim 3 wherein the object is a Java-like program (see col. 5-6).

As to claim 5, Emens teaches the method of claim 1 wherein the intelligent automation device is a programmable logic controller (see fig. 1; col. 3-5).

As to claim 6, Emens teaches the method of claim 1 further including transmitting a response to the intelligent automation device (see col. 3-5, Emens discloses that the client devices can respond to alarm events by sending profile configuration data).

As to claim 7, Emens teaches a notification system for a network having a network device located on the network, the notification system comprising:

a sensor for monitoring the network device, the sensor being operably connected to the network; an intelligent automation device operably connected and responsive to the sensor, the intelligent automation device having an object; and a receiving device operably connected to the automation network, wherein the intelligent automation device transmits the object to the receiving device to notify the operator (see figs. 1-2; col. 3-5, Emens discloses that a proxy server including a sensor manager device 118 for sensing a signal and in response thereto, sending a notification to client browser along with digital image).

Emens does not explicitly teach the limitation of an automation network.

"Official Notice" that the concept and advantages of an automation network is old and well known in the art.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Emens by specifying the network taught by Emens as an automation network since the same functionality of automatic event notification is achieved.

As to claim 8, Emens teaches the notification system of claim 7 wherein the receiving device comprises a software module to interact with the intelligent device (see col. 3-5).

As to claims 9-10, Emens teaches the notification system of claim 7 wherein the receiving device has means for displaying the object, wherein the means for displaying comprises a web browser (see col. 3-5).

As to claim 11, Emens teaches the method of claim 10 wherein the object is a Java program (see col. 3-5).

As to claim 12, Emens teaches the notification system of claim 7 wherein the intelligent automation device is a programmable logic controller (see col. 3-5).

As to claim 13, Emens teaches the method of claim 7 wherein the object is an extensible markup language (XML) (see co. 3-5).

As to claim 15, Emens teaches the method of claim 7 wherein the object is a hyper text markup language (HTML) (see col. 3-5).

Claims 17-20 do not teach or define any new limitations above claims 1-13, and 15 and therefore are rejected for similar reasons.

4. Claims 14, and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Emens further in view of Lee et al., U.S. Patent No. 6,336,137.

Emens teaches the invention substantially as claimed including a system and method for computer based notification of real-world events using images (see abstract).

As to claim 14, Emens teaches the method of claim 7.

Emens fails to teach the limitation wherein the object is a wireless application protocol (WAP) and where the object is a WML language.

Art Unit: 2157

However, Lee teaches a network having clients communicate with a server over a wireless network (see abstract). Lee teaches communicating using a wireless application protocol (WAP) and where the object is a WML language (see col. 5).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Emens in view of Lee so that a wireless application protocol (WAP) and WML language objects are used for communications. One would be motivated to do so to allow wireless or thin clients efficient communication with a server.

5. Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Saleh Najjar whose telephone number is (703) 308-7613. The examiner can normally be reached on Monday-Friday from 6:30 to 3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, *Ario Etienne*, can be reached on (703) 308-7562. The fax phone number for this Group is (703) 308-9052.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-9600. The central official fax number for the group is (703) 872-9306.



Saleh Najjar

Primary Examiner / Art Unit 2157